KA / BG-GPO / 2515 / WPP-47 / 2009-2011



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೪	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಏಪ್ರಿಲ್ ೩೦, ೨೦೦೯ (ವೈಶಾಖ ೧೦, ಶಕ ವರ್ಷ ೧೯೩೧)	ಸಂಚಿಕೆ ೧೮

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 50 ಕೇಶಾಪ್ರ 2008 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 5ನೇ ಡಿಸೆಂಬರ್ 2008

2008ನೇ ಸಾಲಿನ ನವೆಂಬರ್ 11ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ (i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Indian Maritime University Act, 2008 (No.22 of 2008) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 11th November, 2008 / Kartika 20, 1930 (Saka)

The following Act of Parliament received the assent of the President on the 11th November, 2008, and is hereby published for general information :-

THE INDIAN MARITIME UNIVERSITY ACT, 2008

No. 22 OF 2008

[11th November, 2008]

An Act to establish and incorporate a teaching and affiliating University at the national level to facilitate and promote maritime studies and research and to achieve excellence in areas of marine science and technology, marine environment and other related fields, and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows :-

1. Short title and commencement:- This Act may be called the Indian Maritime University Act, 2008.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. Definitions:- In this Act, and in all Statutes made hereunder, unless the context otherwise requires,-

(a) "Academic Council" means the Academic Council of the University;

(b) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;

(c) "Board of Affiliation and Recognition" means Board of Affiliation and Recognition of the University;

(d) "Board of Studies" means the Board of Studies of the University;

(e) "Campus" means the unit established or constituted by the University for making arrangements for instruction, research, education and training;

(f) "Certificate of Competency" means a certificate issued by the competent authority under the Merchant Shipping Act, 1958; (44 of 1958)

(g) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;

(h) "College" means a college maintained by or admitted to the privileges of the University for imparting education and training in maritime studies or in its associated disciplines;

(i) "Court" means the Court of the University;

(j) "Department" means a Department of Studies; and includes a Centre of Studies;

(k) "Director - General" means the Director—General ol Shipping appointed by the Government of India under section 7 of the Merchant Shipping Act, 1958; (44 of 1958)

(l) "Distance Education System" means the system of imparting education through any means of communication, such us broadcasting, telecasting correspondence courses, seminars, contact programmes, e-learning or the combination of any two or more such means;

(m) "Employee" means any person appointed by the University and includes teachers and other staff including deputationists of the University;

(n) "Executive Council" means the Executive Council of the University;

(o) "Finance Committee" means the Finance Committee of the University;

(p) "Governing Body" in relation to a college or an institution, means the Governing Body or any other body, by whatever name called, charged with the management of the affairs of such college or institution, as the case may be, and recognised as such by the University;

(q) "Hall" means a unit of residence for the students of the University, or of a College or an Institution, maintained by the University;

(r) "Institution" means an Institution school, college or centre of studies maintained by or admitted to the privlleges of the University for Imparting education and training in maritime studies or in its associated disciplines;

(s) "Notification" means a notification published in the Official Gazette;

(t) "Off-shore Campus" means an institution, college, centre, school or campus of the University, that could be established outside the country;

(u) "Planning Board" means the Planning Bard of the University;

(v) "Principal" means the head of a college or an institution;

(w) "Recognised Institution" means an institution admitted to the privileges of the University for imparting education in maritime studies or its associated disciplines;

(x) "Recognised teachers" means such persons as are recognised by the University for the purpose of imparting instructions in a college or an institution admitted to the privileges of the University;

(y) "School" means a School of Studies of' the University;

(z) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, the Ordinances and the Regulations made under this Act;

(za) "University" means the Indian Maritime University established under this Act;

(zb) "teachers of the University" means Professors, Associate Professors, Assistant Professors, Readers, Senior Lecturers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any college or institution maintained by the University; and

(zc) "University Grants Commission" means the commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956).

3. The University : (1) There shall be established a University by the name of Indian Maritime University.

(2) The headquarters of the University shall be at Chennai with its campuses at Mumbai, Kolkata, Chennai, Vishakhapatnam and such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor, the first Vice—Chancellor, the first members of the Court, the Executive Council, the Academic Council, the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, shall constitute the University.

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name

(5) The University shall be both, a teaching and an affiliating University.

4. Objects of the University:- The objects of the University shall be,—

(i) to facilitate and promote maritime studies, training, research and extension work with focus on emerging areas of studies like oceanography, maritime history, maritime laws, maritime security, search and rescue, transportation of dangerous cargo, environmental studies and other related fields, and also to achieve excellence in these and connected fields and other matters connected therewith or incidental thereto;

(ii) to promote advanced knowledge by providing institutional and research facilities in such branches of learning as it may deem fit and to make provisions for integrated courses in Science and other key and frontier areas of Technology and allied disciplines in the educational programmes of the University;

(iii) to take appropriate measures for promoting innovations in teaching-learning process, inter-disciplinary studies and research; and to pay special attention to the promotion of educational and economic interests and welfare of the people of India;

(iv) to promote freedom, secularism, equality and social justice as enshrined in the Constitution of India and to act as catalyst in socio-economic transformation by promoting basic attitudes and values of essence to national development; and

(v) to extend the benefits of knowledge and skills for development of individuals and society by associating the University closely with local, regional and national issues of development

5. Powers of the University:- The University shall have the following powers, namely:-

(i) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;

(ii) to make provision for recognised institutions to undertake special studies;

(iii) to establish and maintain campuses, colleges, institutions, departments, laboratories, libraries, museums, centres of research, training and specialised studies;

(iv) to establish and maintain hostels, health centres and other related facilities like auditoria, playgrounds, gymnasiums, swimming pools, training ships;

(v) to provide for establishment of campuses for serving a group of recognised colleges and to provide for and maintain common resource centres in such campuses in the form of libraries, laboratories, computer centres and the like centres of learning;

(vi)to grant, subject to such conditions as the University may determine, diplomas for certificates other than Certificates of Competencies of Sea-farers, which shall continue to be issued by Director-General of Shipping, Government of India till the Central Government otherwise decides, and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(vii) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(viii) to organise and to undertake extra-mural studies, training and extension services;

(ix) to Institute Directorships, Principalships, Professorships, Associate Professorships, Assistant Professorships and other teaching or academic positions, required by the University and to appoint persons to such Principalships, Professorships, Associate Professorships, Assistant Professorships or academic positions;

(x) to provide for the terms and conditions of service of—

(i) Directors, Principals and teachers and other members of the academic staff appointed by the University;

(ii) teachers and other members of the academic staff appointed by any college or institution; and

(iii) any other employee of recognised college or institution, whether appointed by the University or such college or institution;

(xi) to appoint persons working in any other University or organisation as teachers of the University for a specified period;

(xii) to recognise an Institution of higher learning for such purposes as the University may determine and to withdraw such recognition;

(xiii) to orgañise and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators and other academic staff;

(xiv) to appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants, Scholars and such other persons who may contribute to the advancement of the objects of the University;

(xv) to create teaching, non-teaching, administrative, ministerial and other posts in the University and to make appointments thereto;

(xvi) to co-operate or collaborate or associate with any other University or authority or institution of higher learning within India or abroad, in such manner and for such purposes as the Uniersity may determine;

(xvii) to approve appointment of persons for imparting instructions in any institution admitted to the privileges of the University and to withdraw such approval;

(xviii) to inspect recognised institutions through suitable machinery established for the purpose, and to take measures to ensure that proper standards of instruction, teaching and training are maintained by them, and adequate library, laboratory, hospital, workshop and other academic facilities are provided for;

(xix) to prescribe fees and other charges to be levied on the students of self-financing colleges and institutions;

(xx) to coordinate the work of different colleges and institutions working in the same and similar areas;

(xxi) to set up central facilities like computer centre, training centre, instrumentation centre, library, simulators;

(xxii) to set up curriculum development centres for different subjects;

(xxiii) to admit to its privileges colleges and institutions, not maintained by the University, and to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes;

(xxiv) to recognise guide, supervise and control Halls not maintained by the University and other accommodation for students, and to withdraw any such recognition;

(xxv) to make provision for research and advisory services and for that purpose, to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(xxvi) to prescribe fees for recognising of colleges and institutions;

(xxvii) to determine standards of admission to the University which may include examination, evaluation or any other method of testing;

(xxviii) to institute and award fellowships, scholarships, studentships, assistantships, medals and prizes;

(xxix) to demand and receive payment of fees and other charges;

(xxx) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(xxxi) to make such special arrangements in respect of women students as the University may consider desirable;

(xxxii) to regulate the conduct of the students of the University and of colleges and institutions;

(xxxiii) to control and regulate admission of students for various courses of study in Departments, recognised institutions, schools and centres of studies;

(xxxiv) to regulate the work and conduct of the employees of the University and of the employees of the colleges and institutions;

(xxxv) to regulate and enforce discipline among the employees and students of the University and to take such disciplinary measures in this regard as may be deemed necessary;

(xxxvi) to prescribe code of conduct for managements of recognised colleges and institutions;

(xxxvii) to make arrangements for promoting the health and general welfare of the employees of the University and those of colleges and institutions;

(xxxviii) to receive benefactions, donations and gifts from persons and to name after them such chairs, institutions, buildings and the like, the University may determine, whose gift or donation to the University is worth such amount as the University may decide;

(xxxix) to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for the purposes of the University;

(xl) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(xli) to assess needs of the students in terms of subjects, fields of specialisation, levels of education and training of technical manpower, both on short and long term basis, and to initiate necessary programmes to meet these needs;

(xlii) to initiate measures to enlist the co-operation of the industry to provide complementary facilities;

(xliii) to provide for instruction through "distance learning" and "open approach" and for mobility of students from the non-formal open learning stream to the formal stream and vice versa;

(xliv) to establish such campuses, special centres, specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objective;

(xlv) to confer autonomous status on a college or an institution or a Department, as the case may be, in accordance with the Statutes;

(xlvi) to arrange for the training to upgrade maritime standard of the employees of the industry and institutes and to levy fees for such training as prescribed by the Statutes ;

(xlvii) to establish Off-shore Campus at any place outside the Country as and when it is considered necessary for advancing the aims and objectives of the University; and

(xlviii) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

6. Jurisdiction:- The jurisdiction of the University shall extend to the whole of India.

7. University open to all classes, castes and creed:- The University shall be open to persons of either sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or promotion of educational interests of women, physically handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes and the Scheduled Tribes.

8. Fund of the University:- (1) There shall be a University Fund which shall include-

(a) any contribution or grant made by the Central Government or an instrumentality of the Central Government;

(b) any contribution or grant made by the State Governments;

(c) any contribution from the shipping companies, off-shore construction companies and diving companies;

(d) any bequests, donations, endowments or other grants made by any private Individual or Institution;

(e) income received by the University from fees and charges; and

(f) amounts received from any other source.

(2) The said fund shall be utilised for such purposes of the University and in such manner as may be prescribed by the Statutes and the Ordinances.

9. The Visitor:- (1) The President of India shall be the Visitor of the University.

(2) The Visitor may, from time to time, appoint one or more persons to review the work and progress of the University, including colleges and Institutions managed by It, and to submit a report thereon; and upon receipt of that report, the Visitor may, after obtaining the views of the Executive Council thereon through the Vice-Chancellor, take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the University shall be bound to comply with such directions.

(3) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, libraries, laboratories and equipment, and of any college, institution or Campus maintained by the University or admitted to its privileges; and also of the examinations, instruction and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, colleges or institutions.

(4) The Visitor shall, in every matter referred to in sub-section (3), give notice to the University of his intention to cause an inspection or inquiry to be made,—

(a) to the University, if such inspection or inquiry is to be made in respect of the University or any college or Institution maintained by it, or

(b) to the management of the college or Institution if the Inspection or Inquiry is to be made in respect of the college or Institution admitted to the privileges of the University,

and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(5) After considering the representations, if any, made by the University or the management, as the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (3).

(6) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management shall be entitled to appoint a representative, who shall have the right to be present in person and be heard at such inspection or inquiry.

(7) The Visitor may, if the inspection or inquiry is made in respect of the University, college or institution maintained by it, address the Vice - Chancellor with reference to the result of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon, as the Visitor may be pleased to offer, and on receipt of address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Executive Council the results of the inspection or inquiry, and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(8) The Visitor may, if the inspection or inquiry is made in respect of any college or institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

(9) The Executive Council or the management, as the case may be, shall communicate, through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(10) Where, the Executive Council or the management, does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council or the management issue such directions as he may think fit and the Executive Council shall comply with such directions.

(11) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with the Act, the Statutes or the Ordinances:

Provided that before making any such order, the Visitor shall call upon the Registrar to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(12) Notwithstanding anything contained in the foregoing provisions, the Visitor may give any direction to the University after giving an opportunity to the University as the circumstances warrant.

(13) The Visitor shall have such other powers as may be prescribed by the Statutes.

10. Officers of the University:- The following shall be the officers of the University:-

(1) the Chancellor;

(2) time Vice - Chancellor;

(3) the Pro-Vice-Chancellor;

(4) the Deans of Schools;

(5) the Directors;

(6) the Registrars;

(7) the Finance Officer; and

(8) such other officers as may be declared by the Statutes to be officers of the University.

11. The Chancellor:- (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office, be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

12. The Vice Chancellor:- (1) The Vice - Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice - Chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final.

(5) The Vice - Chancellor may cause no inspection to be made by such person or persons as he may direct of a college or an Institution not being maintained by the University, its buildings, libraries, laboratories and equipment, and also examinations, teaching and other work conducted or done by the college or the institution and cause an inquiry, to be made in the like manner, in respect of any matter connected with the administration or finance of the college or the institutions.

(6) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the statutes or the Ordinances.

13. The Pro - Vice Chancellor:- The Pro-Vice-Chancellor shall be appointed in such manner, on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

14. Deans of Schools:- Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

15. Directors:- Every Director shall be appointed in such manner, on such terms and conditions of service, and perform such duties, as may be prescribed by the Statutes.

16. Registrars:- (1) Every Registrar shall be appointed in such manner, as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreement sign documents and authenticate records on behalf of the University.

(3) Every Registrar shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

17. The Finance Officer:- The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

18. Other officers:- The manner of appointment and powers and duties of the other officers of the University shall be prescribed by the Statutes.

19. Authorities of the University:- The following shall be the authorities of the University:—

(1) the Court;

(2) the Executive Council;

(3) the Academic Council;

(4) the Planning Board;

(5) the Board of Affiliation and Recognition;

(6) the Boards of Schools;

(7) the Finance Committee; and

(8) such other authorities as may be declared by the Statutes to be the authorities of the University.

20. The Court:- (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(d) to perform such other functions as may be prescribed by the Statutes.

21. The Executive Council:- (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

22. The Academic Council:- (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and supervision over, and be responsible for, the maintenance of standards of instruction, education and examination within the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it.

(2) The Academic Council shall have the right to advise the Executive Council on all academic matters.

(3) The constitution of the Academic Council and the term of office of its members shall be such as may be prescribed by the Statutes.

23. The Board of Affiliation and Recognition:- (1) The Board of Affiliation and Recognition shall be responsible for admitting colleges and institutions to the privileges of the University.

(2) The constitution of the Board of Affiliation and Recognition, the term of office of its members and its powers and duties shall be such as may be prescribed by the Statutes.

24. The Planning Board:- (1) The Planning Board shall be the principal planning body of the University.

(2) The Planning Board shall be responsible for monitoring the development of the University.

(3) The constitution of the Planning Board, term of office of its members and its powers and functions shall be prescribed by the Statutes.

25. The Boards of Schools:- (1) There shall be such number of Boards of Schools as the University may determine from time to time.

(2) The constitution, powers and functions of the Boards of Schools shall be such as may be prescribed by the Statutes.

26. The Finance Committee:- The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

27. Other authorities of the University:- The constitution, powers and functions of other authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes.

28. Power to make statutes:- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;

(b) the election and continuance in office of the members of the said authorities and bodies, the filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;

(c) the manner of appointment of the officers of the University, terms and conditions of service, their powers and duties and emoluments;

(d) the manner of appointment of teachers, academic staff and other employees of the University and their emoluments;

(e) the manner of appointment of teachers and academic staff working in any other University or organisation for a specific period for undertaking a joint project, their terms and conditions of service and emoluments;

(f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(g) the principles governing the seniority of service of the employees of the University;

(h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(j) the conferment of autonomous status on a college or an institution or a Department;

(k) the establishment and abolition of Schools, Departments, Centres, Halls, colleges and institutions;

(l) the conferment of honorary degrees;

(m) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

(n) the conditions under which colleges and institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(o) the institution of fellowships, scholarships, studentships, assistantships medals and prizes;

(p) the delegation of powers vested in the authorities or officers of the University;

(q) the maintenance of the discipline among the employees and students; and

(r) all other matters which by this Act are to be or may be provided for by the Statutes.

29. Statutes how to be made:- (1) The first Statutes are those set out in the Schedule.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Executive Council shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

(6) Notwithsanding anything contained in the foregoing sub-section, the Visitor may direct tire University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.

30. Power to make Ordinances:- (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrolment as such;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(f) the conditions for award of fellowships, scholarships, studentships, assistantships, medals and prizes;

(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students of the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

(k) the establishment of centre of Studies, Board of Studies, Special centre, Specialised Laboratories and other Committees;

(l) the manner of co-operation and collaboration with other Universities In India or abroad and authorities including learned bodies or associations;

(m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(o) the management of colleges and institutions maintained by the University;

(p) the supervision and management of colleges and Institutions admitted to the privileges of the University;

(q) the setting up of a machinery for redressal of grievances of employees; and

(r) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

31. Regulations:- The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances in the manner prescribed by the Statutes, for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances.

32. Annual report:- (1) The annual report of the University shall be prepared under the direction of the Executive Council, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the Court on or after such date as may be prescribed by the Statutes and the Court shall consider the report in Its annual meeting.

(2) The Court shall submit the annual report to the visitor along with its comments, if any.

(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

33. Annual accounts:- (1) The annual accounts and balance sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such persons as he may authorise in this behalf.

(2) A copy of the annual accounts together with the audit report thereon shall be submitted to the visitor and the Court along with the observations, if any, of the Executive Council.

(3) Any observation made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

(4) A copy of the annual accounts together with the audit report as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

(5) The audited annual accounts after having been laid before both Houses of Parliament shall be published in the Gazette of India.

34. Conditions of service of employees:- (1) The University shall enter into written contract of service with every employee of the University appointed on regular basis or otherwise and the terms and conditions of the contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

(2) A copy of the contract referred to in sub-section (1) shall be kept with the University and a copy thereof shall also be furnished to the employee concerned.

35. Tribunal of Arbitration:- (1) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor.

(2) The decision of the Tribunal of Arbitration shall be final and binding on the Parties.

(3) Every request made by the employee under sub-section (1), shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration and Conciliation Act, 1996. (26 of 1996).

(4) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

36. Procedure of appeal and arbitration in disciplinary cases against students:- (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of section 35 shall, as far as may be, apply to a reference made under this sub-section.

37. Right to appeal:- Every employee or student of the University or of a college or institution maintained by the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the Statutes to the Executive Council against the decision of any officer or authority of the University or of the Principal of any college or institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

38. Provident and pension funds:- (1) The University shall constitute for the benefit of its employees such provident or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident fund or pension fund has been so constituted, the Central Government may declare that the provision of the Provident Funds Act, 1925, (19 of 1925) shall apply to such fund, as if it were a Government provident fund.

39. Disputes as to constitution of University authorities and bodies:- If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

40. Constitution of Committees:- Where any authority of the University is given power by this Act or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of the members of the authority concerned and of such other person, if any, as the authority in each case may think fit.

41. Filling of casual vacancies:- All casual vacancies among the members (other than ex officio members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person of whose place he fills would have been a member.

42. Proceedings of University authorities of bodies not invalidated by vacancies:- No act or proceedings of any authority or other body of the University shall be Invalid merely by reason of the existence of a vacancy or vacancies among its members.

43. Protection of action taken in good faith:- No suit or other legal proceedings shall lie against Any Officer or other employee of the University for anything which is in good faith done or Intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

44. Mode of proof of University record:- A copy of any receipt, application, notice, order, proceedings, resolution of any authority or Committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force.

45. Power to remove difficulties:- (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty;

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

46. Transitional provisions:- Notwithstanding anything contained in this Act and the Statutes,—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor on the recommendation of the Vice-Chancellor and each of the said officers shall hold office for a term of two years;

(c) the first Court and the first Executive Council shall consist of not more than fifteen members, who shall be nominated by the Visitor and they shall hold office for a term of two years;

(d) the first Planning Board shall consist of not more than fifteen members, who shall be nominated by the Visitor out of a panel submitted by the Vice - Chancellor and they shall hold office for a term of two years; and

(ii) the first Planning Board shall, in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council, until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide:

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held that office, if such vacancy had not occurred.

47. Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament:- (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid as soon as may be after it is made, before each House of parliament, while it is in session, for a total period of thirty days winch may be comprised in one session or in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

(3) The power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the Statutes, Ordinances or Regulations or any of them but no retrospective effect shall be given to any Statute, Ordinance or Regulation so as to prejudicially affect the interests of any person to whom such Statute, Ordinance or Regulation may be applicable.

48. Completion of courses of studies in colleges or institutions affiliated to the University:- Notwithstanding anything contained in this Act, or in the Statutes or the Ordinances any student of a college or an institution, who, immediately before the admission of such college or Institution to the privileges of the University, was studying for a degree, diploma or certificate of any University constituted under any Act, shall be permitted by the University, to complete his course for that degree, diploma or certificate, as the case may be, and the University shall provide for the instructions and examination of such student in accordance with the syllabus of studies of such college or institution or University, as the case may be.

49. Transfer of assets and options of the employees:- Notwithstanding anything contained in this Act, or in the Statutes or the Ordinances, consequent upon merger of the Training Ship Chanakay,

Mumbai, the Marine Engineering and Research Institute, Mumbai, the Marine Engineering and Research Institute, Kolkata, Lal Bahadur Shastri College of Advance Maritime Studies, Mumbai, the National Maritime Academy, Chennai, Indian Institute of Port Management, Kolkata and the National Ship Design and Research Centre, Visakhapatnam into the Indian Maritime University, all the assets and cmployees shall stand transferred to the University and such employees shall have the following options:

(i) The employees of the four training institutes under Indian Institute of Maritime Studies who shall stand transferred to Indian Maritime University shall have the option to continue on deemed deputation in Indian Maritime University on the terms and conditions in force of the Central Government and also continue to retain or to be allotted goverment residential accommodation on turn and avail of the Central Government Health Scheme facilities till their retirement;

(ii) the employees of the National Maritime Academy, Chennai, Indian Institute of Port Management, Kolkata and the National Ship Design and Research Centre, Visakhapatnam shall have the option to continue on the terms and conditions of their respective institutes till their retirement; and

(iii) all employees shall have the option to join University as per the service conditions of the University.

50. Role of Central Government and Director General of Shipping:- (1) The University shall, in discharge of its functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time.

(2)The decision of the Central Government as to whether a question is one of policy or not shall be final.

THE SCHEDULE

(See section 29)

THE STATUTES OF THE UNIVERSITY

1. The Chancellor:- (1) The Chancellor shall be appointed by the Visitor recommended by the Executive Council from amongst three persons of eminence in the field of academic, maritime, public administration, or public life of the country:

Provided that if the Visitor does not approve of any of the persons so recommended, he may call for fresh recommendations from the Executive Council.

(2) The Chancellor shall hold office for a term of three years and shall be eligible for re-appointment:

Provided that notwithstanding the expiry of his term of office, the Chancellor shall continue to hold office until his successor enters upon his office.

2. The Vice-Chancellor:- (1) The Vice-Chancellor shall be appointed by the Visitor from a panel of not less than three persons having experience in the field of human resource management, maritime, public administration, marine or port administration:

Provided that if the Visitor does not approve of any of the persons included in the panel, he may call for a fresh panel.

(2) The Committee referred to in clause (1), shall consist of three persons, none of whom shall be an employee of the University or the Academic Council or a member of the Court, the Executive Council, Planning Board or member of any authority of the University or connected with an institution recognised by or associated with the University and out of the three persons, one shall be nominated by the Executive Council, one by the Court and one by the Visitor and the nominee of the Visitor shall be the convener of the Committee

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier, and he shall not be eligible for re-appointment:

Provided that notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office:

Provided further that the Visitor may direct any Vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year, as may be specified by him.

(5) TIne emoluments and other conditions ofservice ofthe Vice-Chancellor shall be as follows:—

(i) The Vice-Chancellor shall be paid a monthly salary and allowances other than the house rent allowance, at the rates fixed by the Central Government from time to time and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor in respect of the maintenance of such residence.

(ii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Executive Council with the approval of the Visitor from time to time:

Provided that where an employee of the University or a college or an institution maintained by or affiliated to it, or of any other University or any institution maintained by consolidated to such other University, is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which the person had been contributing immediately before his appointment as the Vice-Chancellor:

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

(iii) The Vice-Chancellor shall be entitled to travelling allowance at such rate as may be fixed by the Executive Council.

(iv) The Vice-Chancellor shall be entitled to leave on full pay at the rate of thirty days in a calendar year and the leave shall be credited to his account in advance in two half-yearly instalments of fifteen days each on the 1st day of January and July every year:

Provided that if the Vice-Chancellor assumes or relinquishes charge of the office of the Vice-Chancellor during the currency of a half year, the leave shall be credited proportionately at the rate of two and-a-half days for each completed month of service.

(v) In addition to the leave referred to in sub-clause (iv), the Vice-Chancellor shall also be entitled to half pay leave at the rate of twenty days for each completed year of service. This half pay leave may also be availed of as commuted leave on full pay on medical certificate. When commuted leave is availed, twice the amount of half pay leave shall be debited against half pay leave due.

(6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the Pro-Vice-Chancellor shall perform the duties of the Vice-Chancellor:

Provided that if the Pro-Vice-Chancellor is not available, the senior-most Professor shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

3. Powers and duties of the Vice – Chancellor:- (1) The Vice-Chancellor shall be ex officio Chairman of the Executive Council, the Academic Council, the planning Board, Board of Affiliation and Recognition and the Finance Committee and shall, in the absence of the Chancellor, preside at the convocations held for conferring degrees.

(2) The Vice-Chancellor shall be entitled to be present at, and address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(3) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, the Ordinances and the Regulations are duly observed, and he shall have all the powers necessary to ensure such observance.

(4) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(5) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such person or persons as he may deem fit.

(6) The Vice-Chancellor shall have the power to convene or cause to be convened the meeting of the Executive Council, the Academic Council, the Planning Board and the Finance Committee.

(7) The Vice-Chancellor shall have the power to make short-term appointments with the approval of the Executive Council, for a period of six months of such persons as he may consider necessary for the functioning of the University.

4. Pro-Vice-Chancellor:- (1) Every Pro-Vice-Chancellor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor:

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor, appoint a Professor to discharge the duties of a Pro-Vice-Chancellor in addition to his own duties as a Professor.

(2) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Executive Council but it shall not in any case exceed five years or until the expiration of the term of office of the Vice-Chancellor, whichever is earlier:

Provided that a Pro-Vice-Chancellor whose term of office has expired shall be eligible for reappointment:

Provided further that, in any case, a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years:

Provided also that the Pro-Vice-Chancellor shall, while discharging the duties of the Vice-Chancellor under clause (6) of Statute 2, continue in office notwithstanding the expiration of his term of office as Pro-Vice-Chancellor, until a new Vice-Chancellor or the Vice-Chancellor, as the case may be, assumes office:

Provided also that when the office of the Vice-Chancellor becomes vacant and there is no Pro-Vice-Chancellor to perform the functions of the Vice-Chancellor, the Executive Council may appoint a Pro-Vice-Chancellor and the Pro-Vice-Chancellor so appointed shall cease to hold office as such as soon as a Vice-Chancellor is appointed and enters upon his office.

(3) (a) The emoluments and other terms and conditions of service of a Pro-Vice Chancellor shall be such as may be laid down by the Ordinances.

(b) The salary of the Pro-Vice-Chancellor shall be decided by the Executive Council with the approval of the Visitor

(c) The Pro-Vice Chancellor shall be entitled without payment of rent, to the use of a furnished residence throughout his tenure of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.

(d) In addition to the salary specified in sub-clause(b), a Pro-Vice-Chancellor shall be entitled to such leave, benefits and other allowances as admissible to the employees of the University from time to time.

(e)The Pro-Vice-Chancellor shall be entitled to such terminal benefits us may be fixed by the Executive Council from time to time.

(f) The Pro-Vice-Chancellor shall be entitled to subscribe to the contributory provident fund of the University till the and of his tenure:

Provided that when an employee of the University or a college or an institution or of any other University or institution maintained or affiliated to such other University is appointed as Pro-Vice-Chancellor, his salary shall be fixed after taking into consideration the salary of such person.

(4) A Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf, from time to time, and shall also exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

5. Registrars:- (1) Every Registrar shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose and shall be a whole-time salaried officer of the University:

Provided that a nominee of the Court shall also be included in the Selection Committee

(2) He shall be appointed for a term of five years and shall be eligible for reappointment for one more term.

(3) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances:

Provided that the Registrar shall retire on attaining the age of sixty-two years.

(4) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence, or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(5) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and academic staff, as may be specified in the order of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose upon them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the power of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty on an employee.

(6) The Executive Council shall designate any Registrar to act ex officio in one or more of the following capacities, namely:—

(f) Secretary to the Court;

(ii) Secretary to the Executive Council;

(iii) Secretary to the Academic Council;

(iv) Secretary to the Board of Affilliation and Recognition; and

(v) Secretary to the Planning Board.

(7) It shall be the duty of the Registrar so designated in relation to the authority concerned to—

(a) be the custodian of the records, the common seal and such other property of the University as the Executive Council shall commit to his charge;

(b) Issue all notices convening meetings of that authority and the Committees appointed by it;

(c) keep the minutes of all the meetings of that authority and the Committees appointed by it;

(d) conduct the official correspondence of the Court, the Executive Council, the Academic Council, the planning Board and the Board of Affiliation and Recognition;

(e) arrange for and superintend the examinations of the University in accordance with the manner prescribed by the Ordinances;

(f) supply to the Visitor copies of the agenda of meetings of the authorities of the University as soon as they are issued; and the minutes of such meetings;

(g) represent the University in suits or proceedings by or against the University, sign powers-of-attorney and verify pleadings or depute his representative for the purpose; and

(h) perform such other duties as may be specified in the Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

6. The Finance Officer:- (1) The Finance Officer shall be appointed by the Executive Council on the recommendations of a Selection Committee constituted for the purpose and he shall be a whole - time salaried officer of the University.

(2) He shall be appointed for a term of five years and shall be eligible for reappointment for one more term.

(3)The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be laid down by the Ordinances:

Provided that a Finance Officer shall retire on attaining the age of sixty-two years.

(4) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(5) The Finance Officer shall be ex officio Secretary of the Finance Committee but shall not be deemed to be a member of such Committee.

(6) The Finance Officer shall-

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by the Statutes or the Ordinances:

Provided that the Finance Officer shall not make any expenditure or make any investment exceeding one lakh rupees without the prior approval of the Executive Council.

(7) Subject to the control of the Executive Council, the Finance Officer shall—

(a) hold and manage the property and investments of the University including trust and endowed property;

(b) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purpose for which they are granted or allotted;

(c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council after they have been considered by the Finance Committee;

(d) keep a constant watch on the state of the cash and balances and on the state of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, Special Centres, Specialised Laboratories, colleges and institutions maintained by the University;

(g) bring to the notice of the Vice-Chancellor, unauthorised expenditure or any other financial irregularities and suggest appropriate action against persons at fault; and

(h) call for from any office, Centre, Laboratory, college or institution maintained by the University any information that he may consider necessary for the performance of his duties.

(8) Any receipt given by the Finance Officer or the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

7. Deans of schools of Studies:- (1) Every Dean of a School of Studies shall be appointed by the Vice-Chancellor from among the Professors in the School for a period of three years and he shall be eligible for reappointment:

Provided that a Dean on attaining the age of sixty years shall cease to hold office as such:

Provided further that if at any time there is no Professor in a School, the Vice-Chancellor, or a Dean authorised by the Vice-Chancellor in this behalf, shall exercise the powers of the Dean of the School.

(2) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform duties of his office the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the School and shall be responsible for the conduct and maintenance of the standards of teaching and research in the School and shall have such other functions as may be prescribed by the Ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or Committees of the School, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

8. Heads of Departments:- (1) In the case of Departments which have more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from among the Professors on rotation basis.

(2) In the case of Departments where there is only one Professor, the Executive Council shall have the option to appoint, on the recommendation of the Vice-Chancellor, either the Professor or a Reader as the Head of the Department.

Provided that it shall be open to a Professor or Reader to decline the officer of appointment as the Head of the Department.

(3) A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment.

(4) A Head of a Department may resign his office at any time during his tenure of office.

(5) A Head of a Department shall perform such duties as may be prescribed by the Ordinances.

9. Proctors:- (1) Every Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) Every Proctor shall hold office for a term of two years and shall be eligible for reappointment.

10. Librarian:- (1) The Librarian shall be appointed by the Executive Council on the recommendations of the Selection Committee constituted for the purpose and he shall be a whole-time officer of the University.

(2) The Librarian shall exercise such powers and perform such duties as may be assigned to him by the Executive Council.

11. Membership Constitution, Quorum and Tenure of the Executive Council:- (1) The Executive Council shall consist of the following members, namely:—

(a) the Vice-Chancellor, who shall be the Chairperson, ex officio;

(b) the Pro-Vice-Chancellor, ex officio;

(c) the Secretary of Ministry of Shipping, Road Transport and Highways (Department of Shipping), Government of India, or his nominee not below the rank of a Joint Secretary;

(d) the Director-General of Shipping or his nominee not below the rank of a Joint Secretary;

(e) The Chairman, Indian Port Association, New Delhi;

(f) the Financial Adviser, Ministry of Shipping, Road Transport and Highways (Department of Shipping), Government of India, or his nominee not below the rank of a Joint Secretary;

(g) five members to be nominated by the Visitor having special knowledge and/ or practical experience in respect of maritime-education, industry, science or technology and other related subjects on the recommendation of the Vice-Chancellor, out of a panel of at least ten persons;

(h) one member not below the rank of joint Secretary to he appointed by the Central Government to represent the Ministry of Defence of the Central Government.

(i) one Dean of Schools of studies nominated by the Vice-Chancellor by rotation on the basis of seniority;

(j) two Directors nominated by the Vice-Chancellor by rotation on the basis of seniority,

(k) three Principals of the affiliated colleges and academic institutions nominated by the Executive Council by rotation;

(l) one Vice-Chancellor present or former, of any technical University; and

(m) one representative of the Government of the State where University is located.

(2) The Registrar shall be ex officio Secretary of the Executive Council.

(3) Seven members of the Executive Council shall form a quorum for a meeting of the Executive Council.

(4) The members of the Executive Council other than ex officio members shall hold office for a term of three years.

(5) There shall be not less than four meetings of the Executive Council in a year and the rules of procedure for conduct of business to be followed at a meeting and such other matters in relation to meeting as may be necessary shall be such as may be prescribed by the Statutes.

12. Powers and functions of the Executive Council:- (1) The Executive Council shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of this Act, the Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely -

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Associate professors, Assistant Professors and other Academic staff and Principals of colleges and institutions maintained by the University:

Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and the emoluments of teachers and academic staff otherwise than after consideration of the recommendations of the Academic Council;

(ii) to appoint such Professors, Associate Professors, Assistant Professors and other academic staff, as may be necessary, and the Principals of colleges and institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill the temporary vacancies therein;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in the manner prescribed by the Ordinances;

(iv) to grant leave of absence to any officer of the University other than the Chancellor and the Vice-Chancellor, and to make necessary arrangements for the discharge of the functions of such officer during his absence;

(v) to regulate and enforce discipline among employees in accordance with the Statutes and the Ordinances;

(vi) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose to appoint such agents as it may think fit;

(vii) to fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendations of the Finance Committee;

(viii) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, share or securities, from time to time, as it may think fit or in the purchase of immovable property in India, with the like powers of varying such investment from time to time;

(ix) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(x) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(xi) to enter into, vary, carry out and cancel contracts on behalf of the University;

(xii) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the employees and students of the University who may, for any reason, feel aggrieved;

(xiii) to appoint examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(xiv) to select a common seal for the University and provide for the custody and use of such seal;

(xv) to make such special arrangements as may be necessary for the residence and discipline of women students;

(xvi) to delegate any of its powers to the Vice-Chancellor, the Pro-Vice-Chancellor, the Deans, the Registrar or the Finance Officer or such other employee or authority of the University or to a committee appointed by it as it may deem fit;

(xvii) to institute fellowships, scholarships, studentships, assistantships, medals and prizes;

(xviii) to provide for the appointment of Visiting Professors, Emeritus Professors, Consultants and Scholars and determine the terms and conditions of such appointments; and

(xix) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act, or the Statutes.

13. Meetings of the Court:- (1) An annual meeting of the Court shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Court in respect of any year.

(2) At an annual meeting of the Court, a report on the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance sheet as audited, and the financial estimates for the next year shall be presented.

(3) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in clause (2), shall be sent to every Member of the Court at least seven days before the date of' the annual meeting.

(4) Twelve Members of the Court shall form a quorum for a meeting of the Court.

(5) Special meetings of the Court may be convened by the Executive Council or the Vice-Chancellor or if there is no Vice-Chancellor, Pro-Vice-Chancellor or if there is no Pro-Vice-Chancellor, by the Registrar.

(6) The Court shall consist of the following members, namely:-

Ex Officio Members:

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor;

(iii) the Deans of Shools of Studies;

(iv) the Heads of teaching Departments who are not the Deans;

(v) the Dean of students' Welfare;

(vi) the Registrar;

(vii) the Librarian;

(viii) the Proctor;

(ix) the Finance Officer.

Representatives of Teachers:

(x) All Professors who are not Heads of teaching Departments;

(xi) Two Readers who are not Heads of teaching Departments, by rotation according to seniority, to be appointed by the Vice-Chancellor;

(xii) Two Lecturers by rotation according to seniority, to be appointed by the Vice-Chancellor.

Representatives of Non-Teaching Staff';

(xiii) Two members of the non-teaching staff, one from among group 'D' Staff and the other from the rest, to be nominated by the Vice-Chancellor.

Representatives of Institutions affiliated to the University:

(xiv) One representative from the affiliated institutions who shall be the head of the institution, to be nominated by the Vice-Chancellor.

Representatives of Parliament:

(xv) Five representatives of Parliament out of which three to be nominated by the Speaker of the Lok Sabha and two by the Chairman of the Rajya Sabha from amongst the Members thereof'. However, consequent upon a Member of Parliament becoming a Minister or Speaker or Deputy Speaker, of the Lok Sabha or Deputy Chairman of the Rajya Sabha, his/her nomination or election to the Court of the University shall be deemed to have been terminated.

Persons representing Industry:

(xvi) Eleven persons representing the Maritime Industries, to be nominated by Visitor out of which one each from,- Indian National Ship Owners' Association, Maritime Association of Ship Owners and Ship Managers Association, Foreign Owners Representatives and Ship Managers Association, Ship Building Industries, Dredging Industries, Offshore Industries, Unions, representing Seamen, Association of Multimodal Transport Operators of India, Indian Register of Shipping, Major and Minor Ports;

(xvii) Ten representatives of maritime States, out of which one each to be nominated by the States or Union territories,

Other Members:

(xviii) Members of the Executive Council, who are not authorised members of the Court.

(7) All members of the Court, other than the ex officio members, shall hold office for a term of three years:

Provided that a Member of Parliament shall hold office for three years or so long as he continues to be a member of the House which he represents, whichever is less,

14. Membership, Constitution, Quorum and Tenure of the Academic Council:- (i) The Academic Council shall consist of the following members, namely:—

(a) The Vice—Chancellor, who shall be the Chairperson ex-officio

(b) The Pro-Vice-Chancellor;

(c) The Chief Surveyor, Directorate-General of Shipping, Ministry of Shipping, Road Transport and Highways (Department of Shipping), Government of India, or his nominee;

(d) the Nautical Advisor, Directorate-General of Shipping, Ministry of Shipping, Road Transport and Highways (Department of Shipping), Government of India, or his nominee;

(e) the Deans of Schools of Studies;

(f) all Directors of University maintained Campuses;

(g) all Heads of University teaching Departments;

(h) one Professor from each University teaching Department by rotation on the basis of seniority to be nominated by the Vice-Chancellor;

(i) three eminent experts in the field of maritime studies and related subjects, nominated by the Vice-Chancellor; and

(j) two Principals of recognised colleges.

(2) The Registrar shall be ex-officio Secretary to the Academic Council, but shall have no right to vote.

(3) Nine members of the Academic Council shall form a quorum for a meeting of the Academic Council.

(4) The members of the Academic Council other than ex officio members, shall hold office for a term of three years.

(5) The Academic Council shall meet at least twice a year.

15. Powers of the Academic Council:- Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instructions, co-operative teaching among colleges and institutions, evaluation of research or improvements in academic standards;

(b) to bring about inter-School co-ordination, to establish or appoint committees or boards, for taking up projects on an inter-School basis;

(c) to consider matters of general academic interest either on its own initiative or on a reference by a School or the Executive Council and to take appropriate action thereon;

(d) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowship assistantship, research assistantship and studentships, fees, concessions, corporate life and attendance;

(e) to recommend the Executive Council, the number, qualification and the emolument of the teacher and other academic staff;

(f) to recommend the Executive Council, examiners and moderators;

(g) to recommend the Executive Council, persons for award of honorary degrees; and

(h) to recommend the executive council, setting up of Chairs.

16. Membership, Constitution, Quorum and Tenure of the Planning Board:- (1) The Planning Board shall consist of the fol lowing members, namely:

(a) the Vice-Chancellor, who shall be the Chairperson ex officio;

(b) the Pro-Vice-Chancellor;

(c) the Secretary, Department of Shipping, in the Government of India or his nominee not below the rank of a Joint Secretary;

(d) the Secretary, Ministry of Defence in the Government of India, or his nominee not below the rank of a Joint Secretary;

(e) the Director-General of Shipping, Department of Shipping, in the Government of India;

(f) the Financial Adviser, Department of Shipping, in the Government of India, or his nominee not below the rank of a joint Secretary;

(g) two members to be nominated by the Visitor having special knowledge and/or practical experience in respect of maritime-education industry, science or technology and other related subjects on the recommendation of the Vice - Chancellor out of a panel of at least six persons ;

(h) one Dean of Schools of Studies nominated by the Vice-Chancellor by rotation on the basis of seniority;

(i) one Director of the University Campus nominated by the Vice-Chancellor by rotation on the basis of seniority;

(j) one Principal of the affiliated colleges nominated by the Executive Council by rotation; and

(k) one Vice-Chancellor present or former, of any Technical University;

Provided that the members nominated under sub-clauses (e) to (i) above shall, as far as practicable, be drawn from different faculties.

(2) The Registrar shall be the ex officio Secretary of the Planning Board.

(3) The conduct of the meetings of the Planning Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(4) The members of the Planning Board other than ex officio members, shall hold office for a term of three years.

17. The Planning Board:- (i) the planning board shall be the principal planning body of the University and shall be responsible for—

(a) reviewing the educational programmes offered by the University;

(b) organising the structure of education in the University so as to provide opportunities to students to offer different combinations of subjects appropriate for the development of personality and skills for useful work in society;

(c) creating an atmosphere and environment conducive to value oriented education; and

(d) developing new teaching-learning processes which will combine the lectures, tutorials, seminars, demonstrations, self-studies and collective practical projects.

(2) The Planning Board shall have the power to advise on the development of the University and review the progress implementation of programmes so as to ascertain whether they are on the lines recommended by it and shall also have the power to advise the Executive Council and the Academic Council on any matter in connection therewith.

(3) The Academic Council and the Executive Council shall be bound to consider the recommendations of the Planning Board and shall implement such of the recommendations as are accepted by it.

(4) Recommendations of the Planning Board as have not been accepted by the Executive Council or the Academic Council under clause (3) shall be submitted by the Vice-Chancellor along with the recommendations of the Executive Council or the Academic Council, to the Visitor for advice and the advice of the Visitor shall be implemented by the Executive Council or the Academic Council, as the case may be.

(5) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

18. Schools of Studies and Departments:- (1) The University shall have such Schools of Studies as may be specified by the Ordinances.

(2) Every School shall have a School Board and the members of the first School Board shall be nominated by the Executive Council and shall hold office for a period of three years.

(3) The powers and functions of a School Board shall be prescribed by the Ordinances.

(4) The conduct of the meetings of a School Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(5) (a) Each School shall consist of such Departments as may be assigned to it by the Ordinances.

(b) No Department shall be established or abolished except by the Statutes:

Provided that the Executive Council may, on the recommendation of the Academic Council, establish Centres of Studies to which may be assigned such teachers of the University as the Executive Council may consider necessary.

(c) Each Department shall consist of the following members, namely:—

(i) Teachers of the Department;

(ii) Persons conducting research in the Department;

(iii) Dean of the school;

(iv) Honorary Professors, if any, attached to the Department; and

(v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

19. Boards Studies:- (1) Each Department shall have a Board of Post-graduate Studies and a Board of Under-graduate Studies.

(2) The Constitution of a Board of Post-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

(3) The functions of a Board of Post-graduate Studies shall be to approve subjects for research for various degrees and other requirements of research degrees and to recommend to the concerned School Board in the manner prescribed by the Ordinances—

(a) courses of studies and appointment of examiners for post-graduate courses, but excluding research degrees;

(b) appointment of supervisors of research; and

(c) measures for the improvement of the standard of post - graduate teaching and research:

Provided that the above functions of a Board of Post-graduate Studies shall, during the period of three years immediately after the commencement of the Act, be performed by the Department.

(4) The constitution and functions of a Board of Under-graduate, Post-graduate and Vocational Studies and the term of its members shall be prescribed by the Ordinances.

20. Finance Committee:- (1) The Finance Committee shall consist of the following members, namely:—

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor;

(iii) three persons nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council;

(iv) three persons nominated by the Visitor; and

(v) atleast one person to be nominated by the Court.

(2) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(3) All the members of the Finance Committee, other than ex officio members, shall hold office for a term of three years.

(4) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(5) The Finance Committee shall meet at least thrice every year to examine the accounts and to scrutinise proposals for expenditure.

(6) All proposals relating to creation of posts, and those items which have not been included in the Budget, should be examined by the Finance Committee before they are considered by the Executive Council.

(7) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(8) The Finance Committee shall recommend limits for the total recurring expenditure and the total non—recurring expenditure for the year, based on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

21. Selection Committees:- (1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Reader, Lecturer Registrar, Finance Officer, Librarian and Principals of colleges and institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table below shall consist of the Vice-Chancellor, Pro-Vice-Chancellor, a nominee of the Visitor and the persons specified in the corresponding entry in column 2 of the said Table.

TABLE

1	2
Professor	(i) The Head of Department concerned, if he is a Professor. (ii) One Professor to be nominated by the Vice-Chancellor. (iii) Three persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of, or interest in, the subject with which the Professor will be concerned.

1	2
Reader/Lecturer	(i) The Head of the Department concerned. (ii) One Professor to be nominated by the Vice- Chancellor. (iii) Two persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by The Academic Council for their special knowledge of, or interest in the subject with which the Reader or a Lecturer will be concerned.
Registrar, Finance Officer	(i) Two members of the Executive Council nominated by it. (ii) One person not in the service of the University nominated by the Executive Council.
Librarian	(i) Two persons not in the service of the University, who have special knowledge of the subject of the Library Science/ Library Administration to be nominated by the Executive Council. (ii) One person not in the service of the University, nominated by the Executive Council.
Principal of college or institution maintained by the University	Three persons not in the service of the University of whom two shall be nominated by the Executive Council and one by by the Academic Council for their special knowledge of, or interest in, a subject in which instruction is being provided by the college or institution.

NOTE: 1. Where the appointment is being made for an inter-disciplinary project, the head of the project shall be deemed to be the Head of the Department concerned.

2. The Professor to be nominated shall be Professor concerned with the speciality for which the selection is being made and that the Vice-Chancellor shall consult the Head of the Department and the Dean of School before nominating the Professor.

(3) The Vice-Chancellor, or in his absence, the Pro-Vice-Chancellor shall preside at the meetings of a Selection Committee:

Provided that the meetings of the Selection Committee shall be fixed after prior consultation with, and subject to the convenience of Visitor's nominee and the persons nominated by the Executive Council under clause (2):

Provided further that the proceedings of the Selection Committee shall not be valid unless,—

(a) where the number of Visitor's nominee and the persons nominated by the Executive Council is four in all, at least three of them attend the meeting; and

(b) where the number of Visitor's nominee and the persons nominated by the Executive Council is three in all, at least two of them attend the meeting.

(4) The meeting of a Selection Committee shall be convened by the Vice-Chancellor or in his absence by the Pro-Vice-Chancellor.

(5) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(6) If the Executive Council is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(7) Appointments to temporary posts shall be made in the manner indicated below:—

(i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing clauses:

Provided that if the Vice-Chancellor is satisfied that in the interests of work it is necessary to fill the vacancy, the appointment may be made on a purely temporary basis by a local Selection Committee referred to in sub-clause (ii) for a period not exceeding six months.

(ii) If the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the School concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may contain two nominees of the Vice— Chancellor:

Provided further that in case sudden casual vacancies of teaching posts caused by death or any other reason, the Dean may, in consultation with the Head of the Department concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment.

(iii) No teacher appointed temporarily shall, if he is not recommended by the regular Selection Committee for appointment under the Statutes, be continued in service on such temporary employment, unless he is subsequently selected by a local Selection Committee, for a temporary or permanent appointment, as the case may be.

22. Special mode of appointment:- (1) Notwithstanding anything contained in Statute 21, Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor or Reader or any other academic post in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so appoint him to the post.

(2) The Executive Council may appoint a teacher or any other academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner, laid down in the Ordinances

23. Appointment for a fixed tenure:- The Executive Council may appoint a person selected in accordance with the procedure laid down in Statute 21 for a fixed tenure on such terms and conditions as it deems fit

24. Recognised teachers:- (1) The qualifications of recognised teachers shall be such as may be prescribed by the Ordinances.

(2) All applications for the recognition of teachers shall be made in such manner as may be laid down in the Ordinances.

(3) No teacher shall be recognised as a teacher except on the recommendation of a Selection Committee constituted for the purpose in the manner laid down in the Ordinances.

(4) The period of recognition of a teacher shall be determined by the Ordinances made in that behalf.

(5) The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw recognition from a teacher:

Provided that no such resolution shall be passed until notice in writing has been given to the person concerned calling upon him to show cause, within such time as may be specified in the notice, why such resolution should not be passed and until his objections If any, and any evidence he may produce in support of them have been considered by the Academic Council.

(6) Any person aggrieved by an order of withdrawal under clause (5) may, within three months from the date of communication to him of such order, appeal to the Executive Council which may pass such orders thereon as it thinks fit.

25. Committees:- (1) Any authority of the University may appoint as many Standing, Special or Search Committees as it may deem fit, and may appoint to such Committees, persons who are not members of such authority.

(2) Any such Committee appointed under clause (1) may deal with any subject delegated to it subject to subsequent confirmation by the authority appointing.

26. Terms and conditions of service and code of conduct of the teachers, etc:- (1) All the teachers and other academic staff of the University shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes, the Ordinances and the Regulations.

(2) Every teacher and member of the academic staff of the University shall be appointed on a written contract, the form of which shall be prescribed by the Ordinances.

(3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

27. Terms and conditions of service and code of conduct of other employees:- All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes, the Ordinances and the Regulations.

28. Seniority list:- (1) Whenever, in accordance with the Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, and, in accordance with such other principles as the Executive Council may, from time to time prescribe.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and up-to-date seniority list in accordance with the provisions of clause (1).

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

29. Removal of employees of the University:- (1) Where there is an allegation of misconduct against a teacher, a member of the academic staff or other employee of the University, the Vice-Chancellor, in the case of the teacher or member of the academic staff, and the authority competent to appoint (hereinafter referred to as the appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee, as the case may be, under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made:

Provided that time Executive Council may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher or the member of the academic staff, revoke such order.

(2) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Executive Council in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, or as the case may be, other employee on grounds of misconduct.

(3) Save as aforesaid, the Executive Council, or as the case may be the appointing authority, shall not be entitled to remove any teacher, member of the academic staff or other employee except for a good cause and after giving three months notice or on payment of three months' salary in lieu thereof.

(4) No teacher, member of the academic staff or other employee shall be rcmoved under clause (2) or clause (3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher, member of the academic staff or other employee shall take effect from the date on which the order of removal is made:

Provided that where the teacher, member of the academic staff or other employee is under suspension at the time of his removal, such removal shall take effect from the date on which he was placed under suspension.

(6) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, member of the academic staff or other employee may resign,-

(a) if he is a permanent employee, only after giving three months' notice in writing to the Executive Council or the appointing authority, as the case may be or by paying three months' salary in lieu thereof; and

(b) if he is not a permanent employee, only after giving one month's notice in writing to the Executive Council or, as the case may be, the appointing authority or by paying one month's salary in lieu thereof:

Provided that such resignation shall take effect only on the date on which the resignation is accepted by the Executive Council or the appointing authority, as the case may be.

30. Honorary Degrees:- (1) The Executive Council may, on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two-thirds of the members present and voting, make proposals to the Visitor for the conferment of honorary degrees:

Provided that in case of emergency, the Executive Council may, on its own motion, make such proposals.

(2) The Executive Council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw, with the previous sanction of the Visitor, any honorary degree conferred by the University.

31. Withdrawal of degrees, etc.,:- The Executive Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such a resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Executive Council.

32. Maintenance of discipline among students of the University:- (1) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to a Proctor and to such other officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in exercise of his powers, by order, direct that any student be expelled, or rusticated, for a specified period, or be not admitted to a course of study in a college, institution or Department of the University for a stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, college, institution or Department or a School for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

(4) The Principals of colleges, institutions, Deans of Schools of Studies and Heads of teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, institutions, Schools and teaching Departments in the University as may be necessary for the proper conduct of such colleges, institutions, Schools and teaching Departments.

(5) Without prejudice to the powers of the Vice-Chancellor, the Principals and other persons specified in clause (4), detailed rules of discipline and proper conduct shall be made by the University The Principals of Colleges, Institutions, Deans of Schools of Studies and Heads of Teaching Departments in the University may also make the supplementary rules as they deem necessary for the aforesaid purpose.

(6) At the time of admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University

33. Maintenance of discipline among students of colleges, etc:- All powers relating to discipline and disciplinary action in relation to students of a college or an institution, not maintained by the University, shall vest in the Principal of the college or institution, as the case may be, in accordance with the procedure prescribed by the Ordinances.

34. Admission of colleges, etc to the privilege of the university:- (1) Colleges and other institutions situated within the jurisdiction of the University may be admitted to such privileges of the University as the Executive Council may decide on the following conditions, namely:—

(I) Every such college or institution shall have a regularly constituted Governing Body, consisting of not more than fifteen persons approved by the Executive Council and including among others, two teachers of the University to be nominated by the Executive Council and three representatives of the teaching staff of whom the Principal of the college or institution shall be one. The procedure for appointment of members of the Governing Body and other matters affecting the management of a college or an institution shall be prescribed by the Ordinances:

Provided that the said condition shall not apply in the case of colleges and institutions maintained by Government which shall, however, have an Advisory Committee consisting of not more than fifteen persons which shall consist of among others, three teachers including the Principal of the college or institution, and two teachers of the University nominated by the Executive Council.

(ii) Every such college or institution shall satisfy the Executive Council on the following matters, namely:—

(a) the suitability and adequacy of its accommodation and equipment for teaching;

(b) the qualifications and adequacy of its teaching staff and the conditions of their service;

(c) the arrangements for the residence, welfare, discipline and supervision of students;

(d) the adequacy of financial provision made for the continued maintenance of the college or institution; and

(e) such other matters as are essential for the maintenance of the standards of University education.

(iii) No college or institution shall be admitted to any privileges of the University except on the recommendation of the Academic Council made after considering the report of a Committee of Inspection appointed for the purpose by the Academic Council.

(iv) Colleges and institutions desirous of admission to any privileges of the University shall he required to intimate their intention to do so in waiting so as to reach the Registrar not later then the 15th August preceding the year from which permission applied for is to have effect.

(v) A college or an institution shall not, without the previous permission of the Executive Council and the Academic Council, suspend instruction in any subject or course of study which it is authorised to teach and teaches.

(2) Appointment to the teaching staff and Principals of colleges or institutions admitted to the privileges of the University shall be made in the manner prescribed by the Ordinances:

Provided that nothing in this clause shall apply to colleges and institutions maintained by Government.

(3) The service conditions of the administrative and other non-academic staff of every college or institution referred to in clause (2) shall be such as may be laid down in the Ordinances:

Provided that nothing in this clause shall apply to colleges and institutions maintained by Government.

(4) Every college or institution admitted to the privilege of the University shall be inspected at least once in every two academic years by a Committee appointed by the Academic Council and the report of the Committee shall be submitted to the Academic Council, which shall forward the same to the Executive Council with such recommendations as it may deem fit to make.

(5) The Executive Council, after considering the report and the recommendations, if any, of the Academic Council, shall forward a copy of the report to the Governing Body of the college or institution with such remarks, if any, as it may deem fit for suitable action.

(6) The Executive Council may, after consulting the Academic Council, withdraw any privileges granted to a college or an institution, at any time it considers that the college or institution does not satisfy any of the conditions on the fulfilment of which the college or institution was admitted to such privileges:

Provided that before any privileges are so withdrawn, the Governing Body of the college or institution concerned shall be given an opportunity to represent to the Executive Council why such action should not be taken.

(7) Subject to the conditions set forth in clause (1), the Ordinances may prescribe-

(i) such other conditions as may be considered necessary;

(ii) the procedure for the admission of colleges and institutions to the privileges of the University and for the withdrawal of those privileges.

(8) the constitution of Board of affiliation and recognition and the terms of office of its members shall be prescribed by the Ordinances.

35. Convocations:- Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

36. Acting Chairman of meetings:- Where no provision is made for a President or Chairman to preside over a meeting of any authority of the University or any Committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting.

37. Resignation:- Any member, other than an ex officio member of the Court, the Executive Council, the Academic Council or any other authority of the University or any committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

38. Disqualifications:- (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University,—

(i) if he is of unsound mind;

(ii) if he is an undischarged insolvent; and

(iii) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (I), the question shall be referred to the Visitor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.

39. Residence condition for membership and office:- Notwithstanding anything contained in the Statutes, a person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any authority of the University.

40. Membership of authorities by virtue of membership of other bodies:- Notwithstanding anything contained in the Statutes, a person who holds any post in the University or is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as the holder of a particular appointment shall hold such office or membership only for so long as he continues to be a member of that particular authority or body or the holder of that particular appointment, as the case may be,

41. Alumni Association:- (1)There shall be an Alumni Association for the University.

(2) The subscription for membership of the Alumni Association shall be prescribed by the Ordinances.

(3) No member of the Alumni Association shall be entitled to vote or stand for election unless he has been a member of the Association for at least one year prior to the date of the election and is a degree holder of the University of at least five years standing:

Provided that the condition relating to the completion of one year's membership shall not apply in the case of the first election.

42. Students' Council:- (1) There shall be constituted in the University, a Students' Council for every academic year, consisting of—

(i) the Dean of Students' Welfare, who shall be the Chairman of the Students' Council;

(ii) all students who have won prizes in the previous academic year in the fields of studies, fine arts, sports and extension work;

(iii) ten students to be nominated by the Academic Council on the basis of merit in studies, sports activities and all-round development of personality:

Provided that any student of the University shall have the right to bring up any matter concerning the University before the Students' Council if so permitted by the Chairman, and he shall have the right to participate in the discussions at any meeting when the matter is taken up for consideration.

(2) The functions of the Students' Council shall be to make suggestions to the appropriate authorities of the University in regard to the programmes of studies, students' welfare and other matters of importance in regard to the working of the University in general and such suggestions shall be made on the basis of consensus of opinion.

(3) The Students' Council shall meet at least once in an academic year preferably in the beginning of that year.

43. Ordinances how to be made:- (1) The first Ordinances made under sub-section (2) of section 30 may be amended, repealed or added to at any time by the Executive Council in the manner specified below.

(2) No Ordinance in respect of the matters enumerated in section 30 other than those enumerated in clause (n) of sub - section (I) thereof, shall be made by the Executive Council unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (2), but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(4) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is reaffirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(5) Every Ordinance made by the Executive Council shall come into effect immediately.

(6) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks from the date of its adoption. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall as

soon as possible, inform the Executive Council about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

44. Regulations:- (1) The authorities of the University may make Regulations consistent with the Act, the Statutes and the Ordinances for the following matters, namely:—

(i) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(ii) providing for all matters which are required by the Act, the Statutes or the Ordinances to be prescribed by Regulations; and

(iii) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by the Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meeting and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings

(3) The Executive Council may direct the amendment in such manner as it may specify, of any Regulation made under the Statutes or the annulment of any such Regulation.

45. Delegation of Powers:- Subject to the provisions of the Act and the Statutes, any officer or authority of the University may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

46. Equivalence Committee:- (1) Keeping in view the outstanding nature of qualification in maritime discipline, Ministry of Shipping, Road 'Transport and Highways, Government of India constituted an "Equivalence Committee" with a view to consider relativity of the existing teaching posts in four Government Maritime Institutes (Marine Engineering and Research Institute, Kolkata and Mumbai, Lal Bahadur Shastri College of Advanced Maritime Studies and Research, Mumbai, Training Ship Chanakya, Navi Mumbai), presently under Indian Institute of Maritime Studies with equivalent posts in the proposed University. The recommendation of the committee is given in the Table below:

TABLE

1	2
Name of the present posts and pay scale and recruitment rules as per the Gazette notification	Recommendation by the 'Equivalence Committee' for recognition of post in University
Captain Superintendent / Principal/ Director (Rs. 18400-500-22400)	Professor
Vice Principal Deputy/Chief Officer/ Senior Engineer Officer/Sernior Nautical Officer (Rs. 14300 - 400 - 18300)	Associate Professor
Engineer Officer/Nautical Officer (Rs. 12000-375-16500)	Assistant Professor
Senior Lecturer (Rs. 12000 - 375 - 16500)	Assistant Professor
Senior Lecturer (MERI) (Rs. 10000 - 325 - 15000)	Senior Lecturer
Lecturer (Rs.8 000-275-13500)	Lecturer

(2) In the absence of Post-graduate and Doctoral studies in maritime discipline, the existing posts in the Institutes are deemed to be equivalent to the University posts in the appropriate scale.

(3) The qualifications for future direct recruitments shall be governed by separate Ordinances to be framed by the University.

47. Review of fees:- The Fees shall be reviewed after every three years.

T. K. VISWANATHAN,
Secretary to the Government of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

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